

# Conservation of fisheries resources through technical measures: transitional technical measures from 1 January 2010 to 30 June 2011

2008/0112(CNS) - 22/04/2009 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 581 votes to 16, with 32 abstentions, a legislative resolution amending, under the consultation procedure, the proposal for a Council regulation concerning the conservation of fisheries resources through technical measures.

The main amendments are as follows:

**Regional regulations:** the Council, on a proposal from the Commission, shall, in accordance with the procedure laid down in Article 37 of the Treaty, adopt the measures applicable specifically in the various regions corresponding to the various Regional Advisory Councils (RACs).

**Minimum landing size of living aquatic resources:** an amendments notes that, in the case of small pelagics (sardine, anchovy, horse mackerel and mackerel), the possibility for 10% of catches to be made up of undersized fish shall be maintained.

**Combinations of nets:** the proposed regulation provides that it shall be prohibited to carry on board, during any fishing voyage, any combination of nets of more than one range of mesh size. MEPs favour a more flexible approach: the Council, on a proposal from the Commission, shall regulate cases where vessels may carry on board one or more than one combination of nets of more than one range of mesh size during the same fishing voyage. These criteria shall take account of:

- the distance between the home port of the vessel concerned and the fishing area;
- the degree to which the fishery being practised is a multi-species fishery and the economic importance of secondary species by comparison with the target species;
- whether any of the fishing operations during a particular voyage are carried out using a net with a mesh size larger than those provided for in this Regulation.

**Gillnets:** according to MEPs, the immersion time of gillnets and trammel nets shall not exceed **24 hours** (48 hours under the proposal). Where fishing is conducted using gillnets and trammel nets, the use of more than **40 km of nets** shall be prohibited (50 km under the proposal).

By way of derogation, it shall be permitted to deploy gillnets with a mesh size equal to or greater than 120 mm and less than 150 mm north of 48°N or with a mesh size equal to or greater than 100 mm and less than 130 mm south of 48°N, in waters of **less than 400 metres** (instead of 600 metres) charted depth, under certain conditions. Moreover, the total length of all nets deployed at any one time shall not exceed **60 km per vessel** (instead of 100 km).

**Towed gear:** MEPs deleted the Commission's proposal prohibiting the use of any towed gear with a mesh size equal to or larger than 80 mm having more than 100 open meshes and less than 40 open meshes in any circumference of the codend, excluding the joining or the selvages.

**Moving immediately to another area when maximum by-catches are exceeded in a given area:** by way of derogation, for local and inshore fisheries with particular characteristics owing to both the depth and composition of the seabed and distance from the coast, and subject to a scientific report substantiating

those characteristics, the obligation to move away may be less than five nautical miles provided that it is guaranteed that fishing activity is not carried out on a concentration of juveniles.

**Emergency conservation measures taken by Member States:** before such measures are implemented, the appropriate Regional Advisory Councils and the Commission shall be consulted. MEPs consider that consultation by the Commission should take place to prevent competition distortion.

**Future regulation:** MEPs believe that certain important questions should be addressed by a Council Regulation:

- the minimum and maximum percentages of the target species among the living aquatic resources retained on board;
- the mesh size ranges admissible for each target species;
- provisions for the reduction or elimination of discards and the improvement of the selectivity of fishing gear;
- measures concerning the restriction of fishing activities in specific periods and/or specific areas referred to in the regulation, on the basis of the best scientific information available in order to protect marine habitats in those areas.

Lastly, the entry into force of the regulation shall provide for a period for the adjustment of fleets and the adoption of supplementary rules.